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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SVB FINANCIAL GROUP,

Plaintiff,

v.

FEDERAL DEPOSIT INSURANCE
CORPORATION, as Receiver for
Silicon Valley Bank and Silicon Valley
Bridge Bank, N.A.,

Defendant.

Case No.: 5:24-cv-01321

**DECLARATION OF ROBERT A. SACKS
IN SUPPORT OF PLAINTIFF
SVB FINANCIAL GROUP'S
ADMINISTRATIVE MOTION TO
CONSIDER WHETHER ANOTHER
PARTY'S MATERIAL SHOULD BE
SEALED**

1 I, Robert A. Sacks, declare as follows:

2 1. I am an attorney duly licensed by the State of California and admitted to practice
3 before this Court. I am a partner at Sullivan & Cromwell LLP, and I represent Plaintiff SVB
4 Financial Group (“SVBFG”) in the above-titled action. I have personal knowledge of the facts
5 stated in this declaration and I can testify competently to them if called upon to do so.

6 2. Attached is a true and correct copy of the unredacted Complaint.

7 3. The unredacted Complaint contains information derived from materials designated
8 “Highly Confidential” by non-party the Federal Deposit Insurance Corporation, in its corporate
9 capacity (“FDIC-C”), pursuant to the protective order (“Protective Order”) entered in SVBFG’s
10 Chapter 11 proceeding. (*See In re SVB Fin. Grp.*, No. 23-10367-MG (Bankr. S.D.N.Y.), ECF
11 No. 428.)

12 4. Under the Protective Order, Plaintiff shall file documents and information derived
13 from materials designated “Highly Confidential” under conditional seal. (*See id.* at ¶ 20.)

14 I declare under penalty of perjury that the foregoing is true and correct.

15
16 Dated: March 5, 2024
Los Angeles, California

/s/ Robert A. Sacks
Robert A. Sacks